

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
E/S Raphael Road, 275' N of * DEPUTY ZONING COMMISSIONER
Mt. Wilson Road * OF BALTIMORE COUNTY
(Mount Vista Greens) *
11th Election District * Case No. 91-209-SPH
5th Councilmanic District *
James Stadler, et al
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan in Case No. 89-190-X to comply with an approved CRG Plan, and to approve an extension of the time period for utilization of the special exception granted therein from two to four years, or in the alternative, to find that the improvements made to the site constitute utilization of said special exception within the period allowed by law, in accordance with Petitioner's Exhibit 1.

The Petitioners, by James Stadler, appeared, testified and were represented by Howard L. Alderman, Jr., Esquire. Also appearing on behalf of the Petition were Kim Stadler, Mary Frances Shepperd, Bill Butten, residents of the area and members of the Kingsville Community Association, and Joseph Larson, Engineer. Appearing as an interested party was Mary Emerick, Aide to Councilman Vincent J. Gardina. There were no Protestants.

Testimony indicated that the subject property consists of 102 acres zoned R.C. 5 and is located off of Raphael Road at Mt. Vista Road. Said property was the subject matter of previous Case No. 89-190-X in which a special exception for a golf course was granted in accordance with the site plan submitted therein on December 16, 1988. The special exception was granted subject to restrictions including, but not limited to, CRG approval without a waiver. Petitioners subsequently filed and re-

ceived CRG approval on October 25, 1990. However, the CRG approved plan required additional modifications to the site plan as set forth on Petitioner's Exhibits 1 and 4 submitted hereto. The testimony and evidence presented indicated that the current site plan in no way requires any modification of any of the other restrictions set forth in the Order issued in Case No. 89-190-X. In fact, the testimony indicated that the landscaping has increased.

Turning to the issue on Petitioners' request for an extension of the time period for utilization of the special exception previously granted from two to four years, or in the alternative, to find that the improvements made to the site constitute utilization of said special exception within the period allowed by law, the undisputed testimony was that Petitioners diligently pursued obtaining CRG approval and approval from the various departments involved in the construction of a golf course on the subject site. Further, prior to the expiration of the two year period, Petitioners filed a request for an extension of the period for utilization of the special exception previously granted and on November 30, 1990 were granted an extension from December 16, 1990 through February 28, 1991, pending the outcome of the instant hearing. Testimony indicated that the reasons for lack of commencement of the subject project, other than for grading and landscaping, were not due to lack of interest but to the lengthy review process necessitated by the proposed project. Testimony indicated that Petitioners expected the first nine holes of the golf course to be completed by December 31, 1991 and the second nine holes will be completed by December 31, 1992. The clubhouse will not be constructed until Spring, 1992. Petitioners questioned through Counsel whether or not laying the footings for the clubhouse would be necessary to be considered

- 2 -

utilization of the special exception pursuant to Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). At this time there has been some grading and landscaping of the property. Testimony indicated that construction of the first nine holes and driving range would commence soon.

It was explained at the hearing that each case must be determined on its own merits. After reviewing the testimony and evidence presented, including the work done to date plus the intended opening of the first nine holes and driving range before the end of December 31, 1991, it is the opinion of the Deputy Zoning Commissioner that utilization of the special exception as required by Section 502.3 of the B.C.Z.R. will be met if Petitioner diligently pursues construction as testified at the hearing. Clearly, the clubhouse need not be constructed for there to be utilization.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions delineated in Section 502.1 are satisfied and will not be adversely affected by the proposed modifications to the site plan previously approved in Case No. 89-190-X.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a spe-

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of February, 1991 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 89-190-X to comply with an approved CRG Plan, and to approve an extension of the time period for utilization of the special exception granted therein from two to three years, until December 16, 1991 in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

an amendment to the site plan approved in Case No. 89-190-X to comply with an approved CRG Plan, and to approve an extension of the time period for utilization of the special exception granted previously in Case No. 89-190-X from two to four years, or in the alternative, to find that the improvements made to the site constitute utilization of said special exception within the period allowed by law.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	PLSP NEB-2
(Type or Print Name)	JAMES STADLER	D-4
Signature	<i>James F. Stadler</i>	E.D. 11
Address	PAUL STADLER	DATE 1/25/91
City and State	(Type or Print Name)	290
	<i>Paul Stadler</i>	3000
	Signature	CR-6
Attorney for Petitioner:	11113 Reynolds Road	592-9200
Howard L. Alderman, Jr.	Address	Phone No.
(Type or Print Name)	Bradshaw, Maryland	21021
Signature	City and State	
LEVIN & GANN, P.A.	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
305 W. Chesapeake Ave. #113	Howard L. Alderman, Jr., Esq.	
Address	Name	
Towson, Maryland 21204	Levin & Gann, P.A.	
City and State	305 W. Chesapeake Ave. #113	
Attorney's Telephone No.: 321-0600	Address	Phone No.
	Towson, MD 21204	321-0600

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____ that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____ at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

2.C.O.-No.1

(over)

FILED 12/4/90 BY JLL
ANY TIME OR DAY
1/2 HR. HUNG TIME PER HR.

2) Petitioners shall comply with all requirements of the Zoning Plans Advisory Committee as set forth in their comments submitted in Case No. 89-190-X, including, but not limited to, the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated October 3, 1988 and the Office of Planning comments dated November 28, 1988.

3) Petitioners shall landscape the property at a minimum as set forth in Petitioner's Exhibit 5 and 6 submitted in previous Case No. 89-190-X. Petitioners shall provide additional landscaping, as may be deemed appropriate by the Landscape Planner in the Office of Current Planning, to buffer the property along Raphael Road, including, but not limited to, the parking areas.

4) Petitioners shall provide the low-profile, cutoff lighting fixtures as depicted in Petitioner's Exhibit 6 submitted in previous Case No. 89-190-X for the parking lot and shall take whatever steps necessary to insure the lighting does not reflect onto adjoining residential properties.

5) Light fixtures shall not exceed 12 feet in height unless approved for higher by CRG. However, in no event shall the height exceed 15 feet.

6) There shall be no lighting for the driving range unless hereinafter modified after a special hearing.

7) The hours of operation shall not exceed 6:00 AM to 9:00 PM.

8) The golf course and ancillary uses shall be used only between April 1 and October 31, of any given year unless modified after a special hearing.

9) The area designated as existing woods on Petitioner's Exhibit 5 submitted in Case No. 89-190-X shall remain open and undeveloped unless modified by a special hearing.

10) Petitioners shall take whatever steps necessary to insure that the entrance to the property is locked each evening by 9:30 PM.

11) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 12, 1991

Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
E/S Raphael Road, 275' N of Mt. Vista Road
(Mt. Vista Greens)
11th Election District - 5th Councilmanic District
James Stadler, et al - Petitioners
Case No. 91-209-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Ms. Mary Francis Shepperd
1302 Belair Road
Kingsville, Md. 21087

Mr. Kenneth Holt, President
Greater Kingsville Civic Assoc.
c/o P.O. Box 221, Kingsville, Md. 21087

Mr. Kevin Lindsey
11022 Raphael Road
Upper Falls, Md. 21156

People's Counsel
File

Ms. Mary Emerick
3735 Gibbons Avenue
Baltimore, Md. 21206

Mr. Bill Burton
7419 Goetner Road
Kingsville, Md. 21087

Ms. Charlotte Pine
607 Baltimore Avenue
Towson, Md. 21204



SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3335

91-209-SPH

DESCRIPTION FOR A SPECIAL EXCEPTION TO ZONING - STADLER
PROPERTY - RAPHAEL ROAD, 11TH DISTRICT, BALTIMORE COUNTY, MD

Beginning for the same at a point on the East side of Raphael Road at the distance of 275 feet, more or less, Northerly along the East side of Raphael Road from the centerline of Mt. Vista Road and running thence at right angles to Raphael Road North 85 Degrees 39 Minutes 34 Seconds West 2603.19 feet thence South 02 Degrees 59 Minutes 03 Seconds East 1236.74 feet South 88 Degrees 04 Minutes 03 Seconds West 492.73 feet South 02 Degrees 41 Minutes 59 Seconds East 434.64 feet South 02 Degrees 59 Minutes 55 Seconds East 73.39 feet and South 85 Degrees 45 Minutes 53 Seconds West 2235.95 feet to the East side of Raphael Road herein referred to and running thence and binding on the East side of Raphael Road North 24 Degrees 26 Minutes 05 Seconds West 92.44 feet Northwesterly by a curve to the right with a radius of 450.00 feet the distance of 246.13 feet (the cord of the arc bears North 10 Degrees 02 Minutes 41 Seconds West 243.55 feet) and North 04 Degrees 20 Minutes 43 Seconds East 1645.92 feet to the place of beginning.

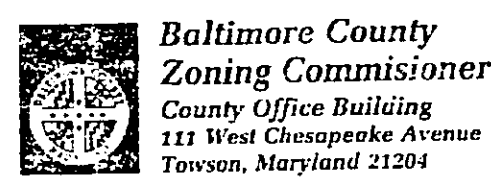
Containing 110 acres of land, more or less.

7/23/88

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SURVEYING LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 1/14/91
Posted for: Special Hearing
Petitioner: James & Paul Stadler
Location of property: 615 Raphael Rd, 275' N Mt. Vista Rd
Location of Sign: Facing Raphael Rd. at intersection of
Mt. Vista Rd. on E. of Raphael Rd.
Remarks: None
Posted by: [Signature] Date of return: 1/18/91
Number of Signs: 1



Account: R-001-6150
Number

Date

Cashier Validation

Please Make Checks Payable To: Baltimore County 11-03812-04-93 \$175.00

receipt

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-27-90.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zeke Olson
Publisher

\$ 79.60

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 9:30 a.m. on:

Case number: 91-209-SPH
E/S Raphael Road, 275' N Mt. Vista Road
11th Election District - 5th Councilmanic District
Petitioner(s): James and Paul Stadler
Hearing Date: Thursday, Jan. 31, 1991 at 9:30 a.m.

Special Hearing: An amendment to the site plan approved in Case #89-190-X to comply with an approved GRG plan, and to approve an extension of the time period for utilization of the special exception granted previously in Case #89-190-X from two to four years, or in the alternative, to find that the improvements made to the site constitute utilization of said special exception within the period allowed by law.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NA12295 Dec. 27

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-8, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-27, 1990.

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$ 79.60

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 11, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-209-SPH
E/S Raphael Road, 275' N Mt. Vista Road
11th Election District - 5th Councilmanic District
Petitioner(s): James and Paul Stadler
HEARING: THURSDAY, JANUARY 31, 1991 at 9:30 a.m.

An amendment to the site plan approved in Case #89-190-X to comply with an approved GRG plan, and to approve an extension of the time period for utilization of the special exception granted previously in Case #89-190-X from two to four years, or in the alternative, to find that the improvements made to the site constitute utilization of said special exception within the period allowed by law.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: James and Paul Stadler
Howard L. Alderman, Jr., Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 24, 1991

Howard L. Alderman, Jr.
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No. 232, Case No. 91-209-SPH
Petitioner: James Stadler
Petition for Special Hearing

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. James Stadler
11118 Reynolds Road
Breadshaw, MD 21021

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
27th day of December, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: James Stadler, et ux
Petitioner's Attorney: Howard L. Alderman

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 1/23/91

James and Paul Stadler
11118 Reynolds Road
Breadshaw, Maryland 21021

RE:
Case Number: 91-209-SPH
E/S Raphael Road, 275' N Mt. Vista Road
11th Election District - 5th Councilmanic District
Petitioner(s): James and Paul Stadler
HEARING: THURSDAY, JANUARY 31, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 104.60 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Howard L. Alderman, Jr., Esq.

received
12/13/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: December 17, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Caves Valley Club, Inc., Item No. 167
Caves Valley Club, Inc., Item No. 168
Dianna Lynn Peterson, Item No. 192
Charles F. Hohman, Item No. 213
Russell F. Morris, III, Item No. 218
Laura E. Earles, Item No. 220
Herbert Balzanna, Item No. 221
Terrell R. Johnson, Joseph Hartman, Trustees, Item No. 224
Michael Robert Snowman, Item No. 225
Herbert J. Scism, Item No. 226
James Stadler, Item No. 232
Douglas A. Pooley, Item No. 233

In reference to the above-listed cases, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
NCITEMS/ZAC1

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
3TH FLOOR
BALTIMORE, MARYLAND 21201
201-321-2300
TELECOPIER 301-435-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
FAX 301-296-2801

ELLIS LEVIN (803-1060)
CARROLL COUNTY OFFICE
231 LIBERTY ROAD
SPYKESVILLE, MD 21154

November 1, 1990

Kenward H. McKinney, Chief
Water Appropriation Permits
Maryland Department of Natural Resources
Tawes State Office Building
Annapolis, Maryland 21401

RE: Application No. BA90S031/1
Applicant: James Stadler
11118 Reynolds Road
Beadshead, Maryland 21021
Certification of Notification

Dear Mr. McKinney:

I represent Mr. James Stadler, applicant in the above-referenced water appropriation permit application. This is to certify that, acting on behalf of the applicant, in accordance with Natural Resources Article Section 8-806(b), notice has been served via Certified Mail, Return Receipt Requested, upon each owner of contiguous property and upon appropriate local officials, that application has been made to MRA for this permit.

Attached hereto, and made a part hereof, as Exhibit A is a list of the names and addresses of all contiguous property owners and appropriate local officials who received the notice required by law.

This Certification is provided in accordance with Maryland Code 1-311 and Natural Resources Article Section 8-806(b)(3).

IN RE: PETITION FOR SPECIAL HEARING
E/S Raphael Road, 275' N of
Mt. Vista Road
11th Election District
5th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-190-X

James F. Stadler, et al
Petitioners

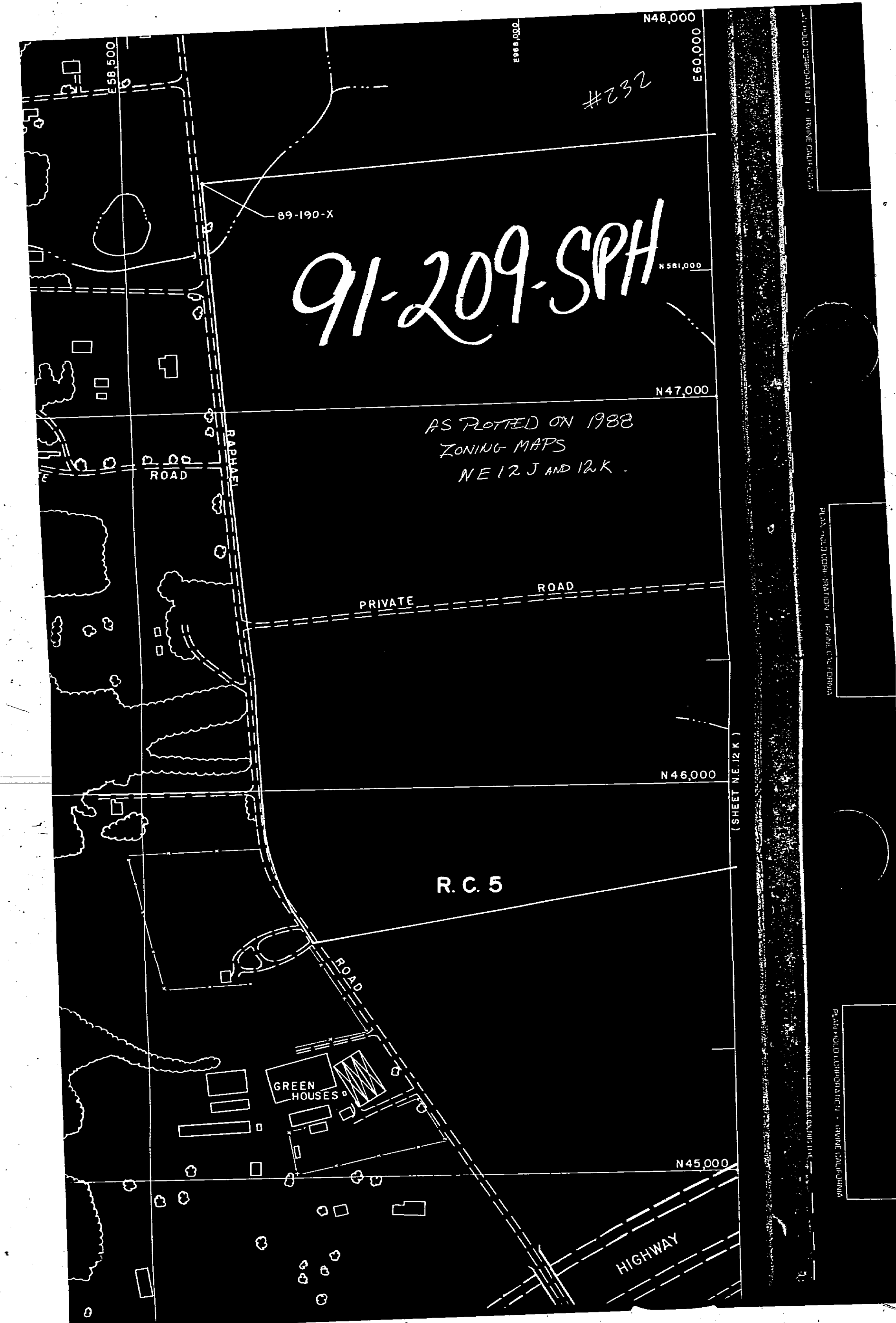
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a golf course in an R.C. 5 zone, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by James F. Stadler, appeared, testified and were represented by Howard L. Alderman, Jr., Esquire. Also appearing on behalf of the Petition were Joseph Larson with Spellman, Larson & Associates, Inc., and John C. Rohde, with Human & Rohde, Inc. Appearing as Protestants were Ken Holt, President of the Greater Kingsville Civic Association; Kevin Lindsey, and Charlotte Pine.

Testimony indicated that the subject property, zoned R.C.5, is located off of Raphael Road and Mt. Vista Road and consists of 102 acres. Testimony indicated that Petitioners recently purchased the property with the intention of developing it as a golf course. Prior to the hearing, Petitioners met with the members of the community on two occasions to attempt to incorporate their concerns. As a result, Petitioners revised the Petition to increase the landscaping, move the parking lot back from Raphael Road approximately 100 feet further, and to distance the driving range from Raphael Road. Said changes have been incorporated into a revised site plan which has been identified as Petitioner's Exhibit 1.

CASE NO. 89-190-X
DATE 11/1/90
BY [Signature]



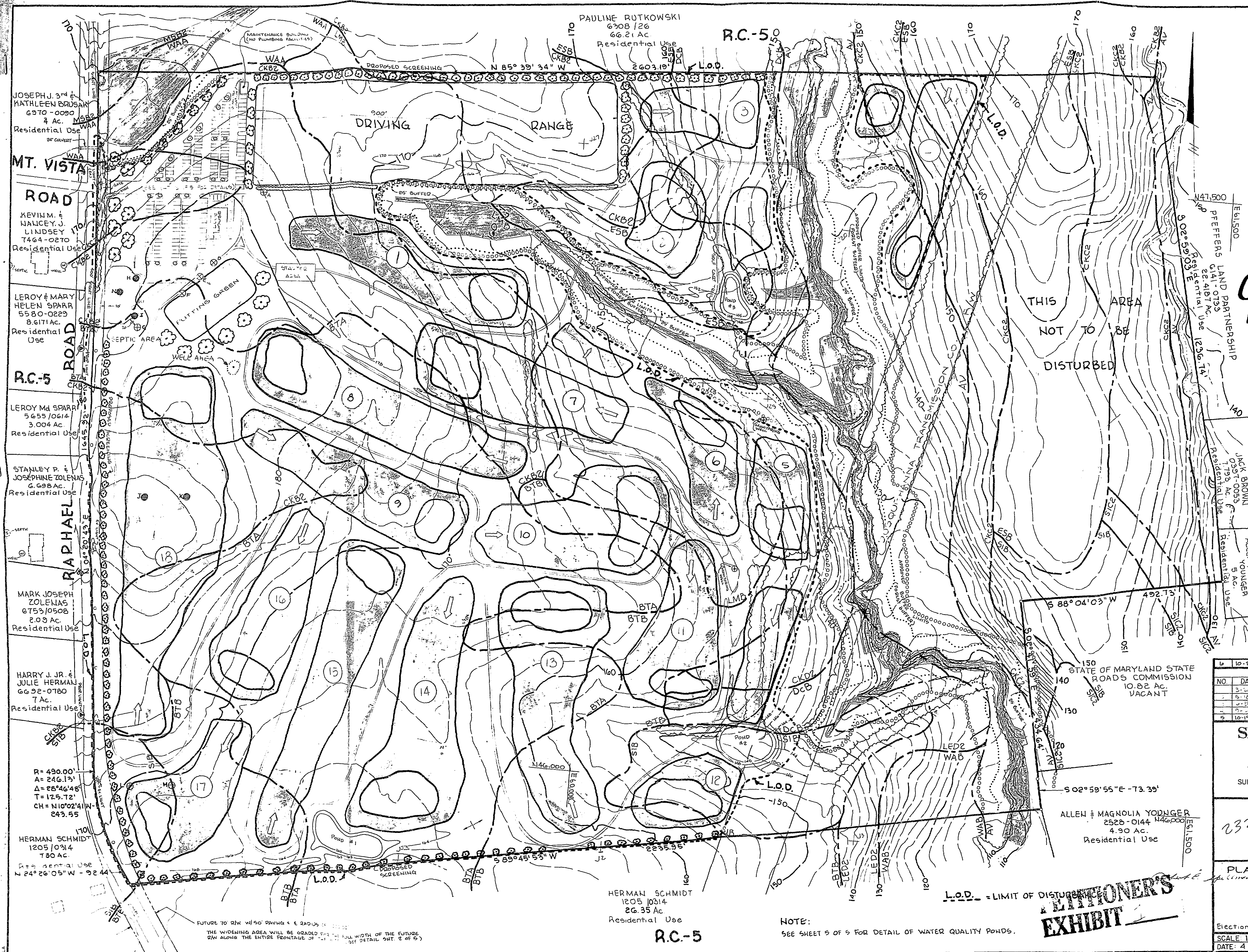
PETITIONER'S MOUNT VISTA GREENS GOLF COURSE EXHIBIT 1

A Special Exception for a Golf Course in a R.C. 5 zone was granted for Petitioners' property in Zoning Case No. 89-190-X. In that case, Petitioners introduced various exhibits in support of their request. The Order of the Deputy Zoning Commissioner for Baltimore County, dated December 16, 1988, added specific conditions to the requested relief.

Restriction/Condition No. 3 of said Order required CRG approval of Petitioners' project. The following points reflect refinements of Petitioners' Exhibits Nos. 1, 5 and 6 of Case No. 89-190-X; the below listed refinements were required by the CRG in review and approval of Petitioners' project:

1. Parking area was reconfigured and the club house relocated due to existence of wetlands. Both the required parking and the proposed parking were reduced from that which was previously approved.
2. The Driving Range was reduced from 30 to 27 tees, thereby reducing the required parking.
3. The Putting Green was relocated to allow for the parking reconfiguration.
4. The following tees and associated greens were reconfigured to provide necessary stream buffers:
 - a. Hole No. 1 - shortened and dogleg added.
 - b. Hole No. 2 - relocated with play across stream. Note that play areas and cart crossing have been approved by DEPRM.
 - c. Hole No. 3 - lengthened to permit play across stream; green area reduced in size and shifted into presently wooded area. Note that play area and cart crossing have been approved by DEPRM.
 - d. Hole No. 4 - relocated and reconfigured, with green area reduced in size with tee area shifted into presently wooded area.
 - e. Hole No. 5 - relocated and reconfigured to provide stream buffer, and Pond #3 which will be receiving a portion of the surface water on-site and which will be used for limited irrigation of the tees and greens.
 - f. Hole No. 6 - relocated and shortened.

- g. Hole No. 7 - shifted to approximate location of former Hole No. 8 and slightly reconfigured.
- h. Hole No. 8 - shifted to previously approved location of Hole No. 9.
- i. Hole No. 9 - occupies portion of previously approved Hole No. 10.
- j. Hole No. 10 - reduced in length from the previously approved Hole No. 10.
- k. Hole No. 11 - no change.
- l. Hole No. 12 - Modified to allow for construction of Pond #2 which will receive a portion of the surface water on-site and which will be used for limited irrigation of the tees and greens.
- m. Hole No. 13 - modified to remove delineation of non-existent stream.
- n. Hole Nos. 14-18 - no change. Note the addition of Pond #1 which will function as Ponds #2 and #3 described above.



GOLF
COURSE

SIGN DETAIL
(SCALE: 1/2" = 1')

SINGLE-FACE NON-ILLUMINATED SIGN
(15 SQ. FT)

91-209-SPH

⊕ = MONITORING WELLS

PUBLIC SERVICES C.R.G. № 90111
PLANNING № XI-624

R.C.-5

NO	DATE	DESCRIPTION
1	3-10-79	2d. 2d. ver. - 2d. 2d. Cont. Comments
2	5-10-79	Revised per 2d. 2d. Comments
3	6-15-79	2d. 2d. ver. - 2d. 2d. Cont. Comments
4	7-10-79	2d. 2d. ver. - 2d. 2d. Cont. Comments
5	10-19-79	PER. PGE-CRA. COMMENTS

**SPELLMAN, LARSON
&
ASSOCIATES, INC.**
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG, TOWSON, MD., 21204
PHONE: 823-3535

232

OWNER/DEVELOPER
JAMES STADLER
11118 REYNOLDS ROAD
BRADSHAW, MARYLAND 21201
592-9200

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING
MOUNT VISTA GREENS
RAPHAEL ROAD

Election District #11		Baltimore County, MD	
SCALE: 1"=100'	DES. BY: J.L.L.	SHT. 1 OF 2	
DATE: 4-26-89	DRN BY: N.S. JMB.		

#88007